

SENATE BILL 216

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HB 1421/01 - HRU

2003 Regular Session
3r0372

By: **Senators Kittleman, Brinkley, Greenip, Haines, Harris, Hooper, Jacobs,
Mooney, Schrader, and Stoltzfus**

Introduced and read first time: January 29, 2003

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools - Improvement of Education Act of 2003**

3 FOR the purpose of authorizing a county board of education to use certain salary
4 enhancements to recruit or retain teachers in certain critical shortage subject
5 areas; requiring a county board to establish the salary enhancements outside of
6 the collective bargaining process; creating a certain exception to matters that a
7 county board is required under certain circumstances to negotiate with an
8 exclusive negotiating agent for public school employees in the county; and
9 generally relating to salary enhancements for teachers in critical shortage
10 subject areas.

11 BY repealing and reenacting, with amendments,
12 Article - Education
13 Section 4-103 and 6-408(b)(1)
14 Annotated Code of Maryland
15 (2001 Replacement Volume and 2002 Supplement)

16 Preamble

17 WHEREAS, There is a critical shortage of teachers in Maryland; and

18 WHEREAS, The Maryland Department of Education has identified 10 critical
19 teacher shortage subject areas in the State, including mathematics, computer science,
20 and physical sciences; and

21 WHEREAS, The retention of the State's teachers and the recruitment of new
22 teachers to teach these critical subject areas are of vital importance to educate
23 Maryland's future generations; and

24 WHEREAS, A pilot program needs to be implemented to determine whether a
25 differential pay scale for teachers in these critical subject areas would allow county
26 boards of education to recruit more qualified teachers in these critical subject areas;
27 now, therefore,

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Education**

4 4-103.

5 (a) On the written recommendation of the county superintendent and subject
6 to the provisions of this article, each county board shall:

7 (1) Appoint all principals, teachers, and other certificated and
8 noncertificated personnel; and

9 (2) Set their salaries.

10 (b) (1) A COUNTY BOARD MAY USE A BONUS, STIPEND, OR ANY OTHER
11 SALARY ENHANCEMENT THAT IT CONSIDERS NECESSARY, NOT TO EXCEED \$500, TO
12 RECRUIT OR RETAIN A TEACHER WHO TEACHES IN A CRITICAL TEACHER SHORTAGE
13 SUBJECT AREA IN A PUBLIC HIGH SCHOOL AS CERTIFIED BY THE COUNTY
14 SUPERINTENDENT AND APPROVED BY THE STATE SUPERINTENDENT.

15 (2) THE COUNTY BOARD SHALL ESTABLISH A BONUS, STIPEND, OR
16 OTHER SALARY ENHANCEMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION
17 OUTSIDE OF THE COLLECTIVE BARGAINING PROCESS.

18 (C) In Baltimore City, the Board of School Commissioners shall exercise the
19 authority granted in this section.

20 6-408.

21 (b) (1) On request a public school employer or at least two of its designated
22 representatives shall meet and negotiate with at least two representatives of the
23 employee organization that is designated as the exclusive negotiating agent for the
24 public school employees in a unit of the county on all matters that relate to [salaries,
25 wages,] hours, [and] other working [conditions] CONDITIONS, AND EXCEPT AS
26 PROVIDED UNDER § 4-103(B) OF THIS ARTICLE, SALARIES AND WAGES.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 June 1, 2003.